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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/765,496	01/27/2004	Ali Ahmed	016295.1533	9523
23640	7590	09/06/2007		
BAKER BOTTS, LLP 910 LOUISIANA HOUSTON, TX 77002-4995			EXAMINER WON, MICHAEL YOUNG	
			ART UNIT 2155	PAPER NUMBER
			NOTIFICATION DATE 09/06/2007	DELIVERY MODE ELECTRONIC

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

debbie.allen@bakerbotts.com

**Office Action Summary****Application No.**

10/765,496

**Applicant(s)**

AHMED ET AL.

**Examiner**

Michael Y. Won

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**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --****Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 27 January 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-31 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-31 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)            | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | Paper No(s)/Mail Date: _____                                      |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>1/27/07</u>   | 6) <input type="checkbox"/> Other: _____                          |

### DETAILED ACTION

1. This action is in response to the amendment filed January 27, 2004.
2. Claims 1-31 have been examined and are pending with this action.

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1-9, 13-24, and 28-31 are rejected under 35 U.S.C. 102(e) as being anticipated by Ortega, III et al. (US 6,952,743 B2).

### **INDEPENDENT:**

As per **claim 1**, Ortega, III teaches a method for identifying host information at a physical layer of an information handling system, the information handling system including a host computer, the method comprising the steps of:

issuing a command from a host computer, the command being issued in a first transport protocol (see col.4, lines 54-58: "The SCSI control block interface (SCBI)

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provides a method to pass SCSI commands... without the need for modules to have knowledge of the protocols used by other modules"); and

sending a host information command to a device, the host information command including a host identifier identifying the host that issued the command (see col.22, "initiatorHandle... ") and a tag identifying a reissued command, the reissued command including the command reissued in a second transport protocol (see col.18, lines 38-41: "the BET processes the SCB into a protocol structure used by the storage device and sends the communication over a port to a network" and col.36, lines 33-35).

As per **claim 19**, Ortega, III teaches an information handling system for identifying host information at a physical layer of an information handling system, the information handling system comprising:

a host computer, the host computer issuing a command in a first transport protocol (see col.4, lines 54-58: "The SCSI control block interface (SCBI) provides a method to pass SCSI commands... without the need for modules to have knowledge of the protocols used by other modules");

a device (see Fig.1); and

an appliance, the appliance sending a host information command to the device, the host information command including a host identifier identifying the host that issued the command (see col.22, "initiatorHandle... ") and a tag identifying a reissued command, the reissued command including the command reissued in a second transport protocol (see col.18, lines 38-41: "the BET processes the SCB into a protocol

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structure used by the storage device and sends the communication over a port to a network” and col.36, lines 33-35).

As per **claim 31**, Ortega, III teaches a data structure for identifying host information at a physical layer, the data structure comprising:

- a protocol page field (see col.34: lines 14-67) ;

- a page format field (see col.22, “payloadType”);

- a tag field for associating the data structure to a host issued command (see col.18, lines 38-41: “the BET processes the SCB into a protocol structure used by the storage device and sends the communication over a port to a network” and col.36, lines 33-35);

- a byte number field for identifying a number of bytes of host information, the host information identifying the host computer that issued the host issued command (see col.22, “initiatorHandle... ”); and

- a payload field, the payload field including at least a portion of the host information (see col.9, lines 24-27: “payload field”).

**DEPENDENT:**

As per **claims 2 and 20**, which respectively depend on claims 1 and 19, Ortega, III teaches further comprising the step of: reissuing the command to the device, the command being reissued in the second transport protocol (see col.18, lines 38-41).

As per **claims 3 and 21**, which respectively depend on claims 1 and 19, Ortega, III further teaches wherein the device does not support command queuing, further comprising the steps of:

receiving a response from the device, the response being sent following a receipt of the host information command by the device (see col.7, lines 45-50); and

reissuing the command to the device, the command being reissued in the second transport protocol (see col.18, lines 38-41).

As per **claim 4**, which depends on claim 1, Ortega, III further teaches wherein an appliance performs the step of sending a host information command to a device (see Fig.1 and col.18, lines 38-41).

As per **claim 5**, which depends on claim 1, Ortega, III further teaches wherein an appliance performs the step of reissuing the command to the device (see Fig.1 and col.18, lines 38-41).

As per **claims 6 and 22**, which respectively depend on claims 1 and 19, Ortega, III further teaches wherein an appliance receives the command issued from the host computer.

As per **claim 7**, which depends on claim 3, Ortega, III further teaches wherein the appliance receives a response from the device (see col.7, lines 45-50) and reissues the command to the device (see col.18, lines 38-41).

As per **claims 8 and 23**, which respectively depend on claims 1 and 19, Ortega, III teaches further comprising the step of:

providing device access to the host computer (see col.4, lines 59-62).

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As per **claims 9 and 24**, which respectively depend on claims 1 and 19, Ortega, III teaches further comprising the step of:

executing the reissued command (see col.7, lines 45-47).

As per **claim 13**, which depends on claim 1, Ortega, III further teaches wherein the first transport of protocol includes a SCSI protocol (see col.1, lines 66-67 and col.36, lines 44-48).

As per **claims 14 and 28**, which respectively depend on claims 1 and 19, Ortega, III further teaches wherein the first transport protocol is iSCSI, FCP, SRP, SSP, U320, or SBP (see col.36, lines 38-40).

As per **claim 15**, which depends on claim 1, Ortega, III further teaches wherein the second transport protocol includes a SCSI protocol (see col.1, lines 66-67 and col.36, lines 58-60).

As per **claim 16 and 29**, which respectively depend on claims 1 and 19, Ortega, III further teaches wherein the second transport protocol is iSCSI, FCP, SRP, SSP, U320, or SCP (see col.36, lines 38-40).

As per **claim 17**, which depends on claim 1, Ortega, III further teaches wherein first transport protocol is equivalent to the second transport protocol (see col.19, lines 8-19).

As per **claims 18 and 30**, which respectively depend on claims 1 and 19, Ortega, III further teaches wherein the host identifier includes at least one of a port World Wide name, a node World Wide name, a source identifier, an initiator identifier, an appliance port relative address, an iSCSI name, an Internet Protocol version 4 address (IPv4), an

Internet Protocol version 6 address (IPv6), an infiniband (IB) Global Identifier, a serial attached SCSI (SAS) initiator address, an IEEE identifier, or a node identifier (see col.22, "initiatorHandle").

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 10-12 and 25-27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ortega, III et al. (US 6,952,743 B2) in view of Zhao (US 2002/0124007).

As per **claims 10 and 25**, which respectively depend on claims 9 and 24, Ortega, III does not teach wherein the step of executing the reissued command further comprising the steps of: creating a priority database, the priority database associating a priority parameter and a command from a host, the priority parameter being a metric measuring a relative execution property of the command in the association; and executing the reissued command, based in part on the priority database.

Zhao teaches creating a priority database, the priority database associating a priority parameter and a command from a host, the priority parameter being a metric measuring a relative execution property of the command in the association; and



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executing the reissued command, based in part on the priority database (see page 8, [0061], 2<sup>nd</sup> to last sentence).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify the system of Ortega, III in view of Zhao by implementing creating a priority database, the priority database associating a priority parameter and a command from a host, the priority parameter being a metric measuring a relative execution property of the command in the association; and executing the reissued command, based in part on the priority database. One would be motivated to do so because Ortega, III teaches that commands are queued to determine time to process (see col.9, lines 7-16).

As per **claims 11 and 26**, which respectively depend on claims 9 and 24, Ortega, III does not teach wherein the command includes a command for accessing encrypted data of the storage device, further comprising the step of: decrypting the data based on the host information command.

Zhao teaches a command for accessing encrypted data of the storage device, further comprising the step of: decrypting the data based on the host information command (see page 9, [0069]).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify the system of Ortega, III in view of Zhao by implementing decrypting the data based on the host information command. One would be motivated to do so because encryption and decryption are processes known and employed to one of ordinary skill in the art to secure data when the data is communicated and stored.

As per **claim 12 and 27**, which respectively depend on claims 9 and 24, although Ortega, III further teaches wherein the command includes a command for writing data to the storage device (see col.2, line 18), Ortega, III does not teach further comprising the step of: encrypting the data based on the host information command.

Zhao teaches encrypting the data based on the host information command (see page 9, [0069]).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify the system of Ortega, III in view of Zhao by implementing encrypting the data based on the host information command. One would be motivated to do so because encryption and decryption are processes known and employed to one of ordinary skill in the art to secure data when the data is communicated and stored.

### ***Conclusion***

5. For the reasons above, claims 1-31 have been rejected and remain pending.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael Y. Won whose telephone number is 571-272-3993. The examiner can normally be reached on M-Th: 7AM-5PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Saleh Najjar can be reached on 571-272-4006. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Michael Won/

Primary Examiner

August 30, 2007